

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Marlboro County

Michael G. Nettles, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

JEJAUNCEY HARRINGTON,

APPELLANT

APPELLATE CASE NO. 2023-000305

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MOTION FOR AN EXTENSION OF TIME  
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT  
AND DESIGNATION OF MATTER

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Counsel for appellant respectfully requests a **final extension of ten business days, until February 20, 2024**, in which to file the Initial Brief of Appellant and Designation of Matter in this case. **Counsel regrets having to request this extension and will make every effort to file the brief prior to the deadline.** This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fifth request for an extension. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter are due to be filed with the Court today. The Court has granted counsel four previous extensions. **Counsel understands that a fifth extension is strongly disfavored.**

2. Counsel for appellant respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time. The transcripts in this case are over two thousand pages. Due to the complexity of the case and the issues to be raised, an additional final extension is needed. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. On February 2, 2024, counsel, along with co-counsel, filed a reply in State of South Carolina v. Timothy Ray Jones, Jr. with the United States Supreme Court. On January 24, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. Clayton Thomas Jones with the Court of Appeals. On January 18, 2024, counsel filed an amended application for post-conviction relief in Artrell Hickson v. The State with the Aiken County Clerk of Court. On January 17, 2024, counsel filed the initial brief of appellant and designation of matter in The State v. Reno Blakely with the Court of Appeals. On January 9, 2024, counsel had an oral argument in The State v. Stacardo Grissett before the Supreme Court. On January 8, 2024, counsel filed the petition for writ of certiorari and accompanying appendix in William Funderburke v. The State with the Supreme Court. On December 21, 2023, counsel filed the petition for writ of certiorari to the Court of Appeals in James Carrier v. The State with the Supreme Court. On December 20, 2023, counsel filed the petition for writ of certiorari, petition for writ of certiorari pursuant to Austin v. State, and accompanying appendix in Tara Weber v. The State with the Supreme Court.

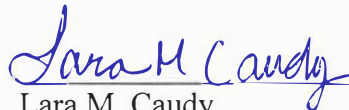
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that her caseload will

hopefully become more manageable in the near future, and less extensions will need to be requested.

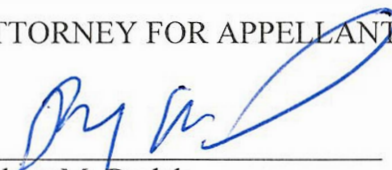
5. On January 31, 2024, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through February 29, 2024.


WHEREFORE, the undersigned counsel would respectfully request a **final extension of ten business days until February 20, 2024**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances.

Respectfully submitted,

  
\_\_\_\_\_  
Lara M. Caudy  
Appellate Defender

ATTORNEY FOR APPELLANT

  
\_\_\_\_\_  
Robert M. Dudek  
Chief Appellate Defender

  
\_\_\_\_\_  
J. Hugh Ryan, III  
Executive Director/  
Hervey B. O. Young  
Deputy Director and General Counsel/  
W. Lawrence Brown  
Deputy General Counsel and Training Director

This 5th day of February, 2024.

**RECEIVED**

**Feb 05 2024**

**SC Court of Appeals**

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THE STATE,

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APPELLATE CASE NO. 2023-000305

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion for Extension in the above referenced case has been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 5th day of February, 2023.

  
Lara M. Caudy  
Appellate Defender

ATTORNEY FOR APPELLANT

**From:** [Mcinnis, Sara](#)  
**To:** [mbrown@scag.gov](mailto:mbrown@scag.gov)  
**Cc:** [abennett@scag.gov](mailto:abennett@scag.gov); [Caudy, Lara](#)  
**Subject:** 2023-000305 The State v. JeJauncey Harrington Extension 5  
**Date:** Monday, February 5, 2024 10:31:00 AM  
**Attachments:** [2023-000305 The State v. JeJauncey Harrington Extension 5.pdf](#)

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Good Morning Ms. Brown,

Please find attached for service in the above case the fifth motion for an extension of time to file the Initial Brief of Appellant and Designation of Matter. This request will be filed with the Court of Appeals today, February 5, 2024, via email filing.

Thank you!

**Sara McInnis**

Administrative Assistant  
South Carolina Commission on Indigent Defense  
Appellate Division  
(803) 734-1330